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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,121	09/10/2003	Youssef Hamadi	305228.01	3556

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EXAMINER
LAM, HUNG H

ART UNIT	PAPER NUMBER
2622	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/659,121	HAMADI, YOUSSEF	
	Examiner	Art Unit	
	HUNG H. LAM	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06/30/08*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,9-16 and 19-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6, 9-16 and 19-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 06/30/08, have been entered and made of record. Claims 7-8, 17-18 and 31-36 are canceled. Claims 1-6, 9-16 and 19-30 are pending.

In review of the Applicant's amendment to the title, the objection to the title is hereby withdrawn.

Claim Objections

2. Claims 1, 11 and 21 are objected to because of the following informalities: the claims should be changed to read as "an identifying module configured to identify a second object in the image using a library of potential matches narrowed based upon ~~the~~ an identity of the first object" or "identifying a second object in the image using a library of potential matches narrowed based upon ~~the~~ an identity of the first object". Appropriate correction is required.

Response to Arguments

3. Applicant's arguments see Amendment (Remarks), page 8-12, filed 06/30/08, with respect to the rejection(s) of claim(s) 1-6, 9-16 and 19-30 have been fully considered but they are not persuasive.

Regarding independent claims 1, 11 and 21, the Applicants argue that He does not disclose “an identifying module configured to identify a second object in the image using a library of potential matches narrowed based upon an identity of the first object” or "identifying a second object in the image using a library of potential matches narrowed based upon an identity of the first object". The Examiner respectfully disagrees. He discloses a system having a host terminal for receiving RFID code and image data (see Fig. 1-2 and 6; Host terminal 26), a query module (604) to query database 602 for retrieving image data 605 corresponding the receiving RFID code ([0054]) and a comparator module 608 to compare the receiving image data and retrieving (accessed) image data 605 for determining if a substantial match exists therebetween and for determining if the RFID code read correspondents to object that was imaged ([0054]). Thus the system and/or comparison inherently identifies a second object in the receiving image data wherein the second object is a substantially match or un-match object between retrieving and receiving image data ([0051; 0054-0056]).

Regarding dependent claim 3, the Applicant representative argues that He does not disclose “having an identifier of a delegate object received from another object”. The Examiner respectfully disagrees. It is noted that the USPTO considers the Applicant's "one of” language to be anticipated by any reference containing one of the subsequent corresponding elements. Therefore, claim 3 was interpreted as requiring “wherein at least one of the objects is a delegate object ~~and an identifier of a delegate object received from another object~~” (see He: abstract; [0005-0007]).

In view of the above, the Examiner believes that the broadest interpretation of the present claimed invention does in fact read on the cited reference for at least the reasons discussed above and as stated in the detail Office Action as follows. This Office action is now made final.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-6, 9-16 and 19-30 are rejected under 35 U.S.C. 102(e) as being anticipated by He (US-2004/0,118,916).

With regarding **claim 1**, He discloses a method comprising:

requesting identification of a first object in association with a capture of an image (Fig. 2; RFID block; abstract; [0010-0011; 0027-0029; 0032-0033);

receiving an identifier, responsive to the requesting operation, the identifier identifying the first object in the image ([0029-0033]).

identifying a second object in the image using a library of potential matches narrowed based upon an identity of the first object ([0004; 0051; 0054-0056]: the system and/or comparison inherently identifies a second object in the receiving image data wherein the second object is a substantially match or un-match object between retrieving and receiving image data).

With regarding **claim 2**, He discloses the method of claim 1 wherein the first object is an active object, and the identifier of the active object is received from the active object (abstract; [0029-0033]: object inherently active in order for the RFID block to activate the object for receiving RFID signals

With regarding **claim 3**, He discloses the method of claim 1 wherein at least one of the objects is a delegate object, and the identifier of the delegate object is received from another object (abstract; [0005-0007]).

With regarding **claim 4**, He discloses the method of claim 1 further comprising: capturing the image, wherein an image capture device performs the requesting, receiving, and capturing operations (Figs. 2-3; imaging 14; abstract; [0012; 0025; 0039; 0044]).

With regarding **claim 5**, He discloses the method of claim 1 further comprising: associating the identifier with the image ([0005-0008; 0020-0024]).

With regarding **claim 6**, He discloses the method of claim 1 further comprising: extracting a model associated with the identifier from a model library (Fig. 6; extract data module 616 and/or comparator module 608; abstract; [0056-0058]).

With regarding **claim 9**, He discloses the method of claim 1 further comprising:

identifying a sub-portion of a model library based on the identifier ([0051-0057]); and

evaluating the image using a plurality of models in the sub-portion of the model library to identify objects in the image ([0012-0013; 0051-0057; 0060-0063]).

identifying a second object in the image using a library of potential matches narrowed based upon an identity of the first object.

With regarding **claim 10**, He discloses the method of claim 1 further comprising: associatively storing with the image one or more parameters relating to the object identified in the image ([0005-0008; 0020-0024]).

With regarding **claim 11**, the claim contains the same limitations as claimed in claim 1. Therefore, claim 11 is analyzed and rejected as discussed under claim 1.

With regarding **claim 12**, the claim contains the same limitations as claimed in claim 2. Therefore, claim 12 is analyzed and rejected as discussed under claim 2.

With regarding **claim 13**, the claim contains the same limitations as claimed in claim 3. Therefore, claim 13 is analyzed and rejected as discussed under claim 3.

With regarding **claim 14**, the claim contains the same limitations as claimed in claim 4. Therefore, claim 14 is analyzed and rejected as discussed under claim 4.

With regarding **claim 15**, the claim contains the same limitations as claimed in claim 5. Therefore, claim 15 is analyzed and rejected as discussed under claim 5.

With regarding **claim 16**, the claim contains the same limitations as claimed in claim 6. Therefore, claim 16 is analyzed and rejected as discussed under claim 6.

With regarding **claim 19**, the claim contains the same limitations as claimed in claim 9. Therefore, claim 19 is analyzed and rejected as discussed under claim 9.

With regarding **claim 20**, the claim contains the same limitations as claimed in claim 10. Therefore, claim 20 is analyzed and rejected as discussed under claim 10.

With regarding **claim 21**, He discloses a system comprising:

a signaling module (Fig. 2; RFID block) coupled to a digital capture device (imaging engine 14) requesting identification of one or more objects in association with a capture of an image (abstract; [0010-0011; 0027-0029; 0032-0033]);

the signaling module further receiving an identifier identifying an object in the image, responsive to requesting identification ([0029-0033]).

an identifying module configured to identify a second object in the image using a library of potential matches narrowed based upon an identity of the first object ([0004; 0051; 0054-0056]: the system and/or comparison inherently identifies a second object

in the receiving image data wherein the second object is a substantially match or un-match object between retrieving and receiving image data).

With regarding **claim 22**, He discloses the system of claim 21 wherein at least one of the objects is an active object, and the identifier of the active object is received from the active object (abstract; [0029-0033]: object inherently active in order for the RFID block to activate the object for receiving RFID signals).

With regarding **claim 23**, He discloses the system of claim 21 wherein at least one of the objects is a delegate object, and the identifier of the delegate object is received from another object (abstract; [0005-0007]).

With regarding **claim 24**, He discloses the system of claim 21 further comprising: an image capture module capturing the image (Figs. 2-3; imaging 14).

With regarding **claim 25**, He discloses the system of claim 21 further comprising: a registration module associating the identifier with the image ([0005-0008; 0020-0024]).

With regarding **claim 26**, He discloses the system of claim 21 further comprising: a model extractor extracting a model associated with the identifier from a model library

(Fig. 6; extract data module 616 and/or comparator module 608; abstract; [0056-0058]).

With regarding **claim 27**, He discloses the system of claim 21 further comprising: a model extractor extracting a model associated with the identifier from a model library (Fig. 6; extract data module 616 and/or comparator module 608; abstract; [0056-0058]); and

an object matching module evaluating the image using the model to determine whether the object is in the image (face detection module 612 and/or comparator module 608; abstract; [0056-0058]).

With regarding **claim 28**, He discloses the system of claim 21 further comprising: a model extractor identifying a sub-portion of a model library based on the identifier ([0057]).

With regarding **claim 29**, He discloses the system of claim 21 further comprising:

a model extractor identifying a sub-portion of a model library based on the identifier ([0051-0057]); and

an object matching module evaluating the image using a plurality of models in the sub-portion of the model library to identify objects in the image ([0012-0013; 0051-0057; 0060-0063]).

With regarding **claim 30**, He discloses the system of claim 21 further comprising: an image storage module associatively storing with the image one or more parameters relating to the object identified in the image ([0005-0008; 0020-0024]).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG H. LAM whose telephone number is (571)272-7367. The examiner can normally be reached on Monday - Friday 8AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LIN YE can be reached on 571-272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HL
09/12/08

/Lin Ye/
Supervisory Patent Examiner, Art Unit 2622